

Reviewed
4/15/13

Wetlands Bureau Decision Report

Decisions Taken
04/08/2013 to 04/14/2013

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2012-03021

ROY, DANIEL

CROYDON

Requested Action:

Dredge and fill 412 square feet and temporarily impact 397 square feet of Perkins Brook to replace a 36-inch and 18-inch culvert with a 14-foot x 4.67-foot x 20-foot open bottom structural plate arch.

APPROVE PERMIT:

Dredge and fill 412 square feet and temporarily impact 397 square feet of Perkins Brook to replace a 36-inch and 18-inch culvert with a 14-foot x 4.67-foot x 20-foot open bottom structural plate arch.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers, Inc. dated SEPT 2012, and revised through 1/25/13, as received by the Department on January 25, 2013.
2. Work shall be done during low flow conditions.
3. Work shall be done in the dry (dewatered).
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. There shall be no excavation or operation of construction equipment in flowing water.
9. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
11. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
12. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
13. Temporary cofferdams shall be entirely removed immediately following construction.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
18. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.
19. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
20. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.

21. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(p), Any project that includes a new or replacement stream crossing which meets the criteria for a tier 3 stream crossing as specified in Env-Wt 904.04(a).
2. An Emergency Authorization was issued on December 10, 2012, for the temporary installation of a 36-foot culvert to allow for utility and emergency access.
3. Review of the follow-up emergency authorization materials, received by DES on December 19, 2012, and pursuant to the emergency authorization indicates that work has been completed in accordance with the emergency authorization.
4. The originally submitted 10-foot x 3.5-foot x 20-foot arch was upgraded to the proposed 14-foot x 4.67-foot x 20-foot arch.
5. The stream crossing alternative design submitted in accordance with Env-Wt 904.09 states that the proposed arch culvert will pass the 100 year storm event.
6. The proposed culvert will span the provided bankfull width of the stream.
7. The NH Fish and Game Department commented that due to the presence of brook floaters downstream, it is essential that work is done in the dry.
8. This permit is conditioned that work be completed during low flows and in the dry.
9. The submitted Tier 3 replacement alternative design meets the General Design Criteria to the maximum extent practicable per Env-Wt 904.09.
10. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
11. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
12. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
13. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

2013-00429 SALISBURY, TOWN OF
SALISBURY Unnamed Stream

Requested Action:

Dredge and fill 1,249 sq. ft. within the outlet of Greenough Pond (includes 533 sq. ft. of temporary impact) to replace the existing 48-inch by 30-foot culvert beneath Warner Road with a with a 71-inch by 47-inch by 40-linear foot CMP arch culvert.

Conservation Commission/Staff Comments:

See findings.

APPROVE PERMIT:

Dredge and fill 1,249 sq. ft. within the outlet of Greenough Pond (includes 533 sq. ft. of temporary impact) to replace the existing 48-inch by 30-foot culvert beneath Warner Road with a with a 71-inch by 47-inch by 40-linear foot CMP arch culvert.

With Conditions:

1. All work shall be in accordance with plans by Moser Engineering dated December 2012 and narratives, as received by the NH Department of Environmental Services (DES) on February 8, 2013.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require approval by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no

turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

5. There shall be no excavation or operation of construction equipment in flowing water.
6. Unconfined work within the stream, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
9. Temporary cofferdams shall be entirely removed immediately following construction.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation for access.
12. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
16. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
17. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
18. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired immediately.
19. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
20. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
21. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur. A follow-up report shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a major impact project pursuant Administrative Rule Env-Wt 903.01 (g)(1), a new or replacement tier 3 crossing; and pursuant to Env-Wt 303.02(k), projects in a wetland identified by NH Natural Heritage Bureau as an exemplary natural community.
2. The existing culvert is undersized and is deteriorating; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
4. The Town of Salisbury is funding the project and is seeking an Alternative design in accordance with Env-Wt 904.08(b).
5. DES finds that the replacement alternative design meets the requirements of Env-Wt 904.09, Alternative Designs.
6. A New Hampshire Licensed Professional Engineer conducted a hydrological analysis of the existing conditions and proposed replacement.
7. The applicant's engineer has documented that the new structure will pass the 100-year storm event pursuant to Env-Wt 904.05(e).
8. Compensatory mitigation is not required for this Tier 3 stream crossing as it is self-mitigating in accordance with Env-Wt 904.04(f).
9. DES has not received any abutter or public comments in objection to the proposed project.
10. The application included a memo from the NH Natural Heritage Bureau ("NHB") dated 2012-12-26 (the "Memo"). The Memo provided comment on the application and found a natural community within the vicinity of the proposed impacts, a medium level fen system. NHB provided one (1) management comment: 'Maintain the natural hydrologic regime and defer harvesting and

development activities in about a 300-foot upland buffer.'

11. The applicant's engineer addressed Env-Wt 302.04(a)(7)(e) relative to impacts on exemplary natural communities, stating, "The site's hydrology will better emulate natural conditions since the culvert capacity will be increased. The site is subject to periodic inundation during flood control operations at the dam in Webster."

12. Based on finding 11, DES finds that aforementioned natural community identified in the NHB Memo will not be adversely impacted at a result of the culvert replacement.

13. DES did not receive comments from the Salisbury Conservation Commission.

14. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the palustrine resource, as identified under RSA 482-A:1.

MINOR IMPACT PROJECT

2007-01919 MANCHESTER SAND GRAVEL & CEMENT CO INC
HOOKSETT Unnamed Stream Wetlands

Requested Action:

Approve Time Extension.

APPROVE TIME EXTENSION:

Dredge and fill 750 square feet of intermittent stream along 60 linear feet to stabilize existing stream with rip rap.

With Conditions:

1. All work shall be in accordance with plans by Holden Engineering and Surveying dated April 14, 2007 and revised through May 19, 2008, as received by the Department on May 16, 2008.
2. Access to the construction site shall be via the existing haul road and shall not be from the Railroad Right of Way.
3. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Work shall be done during periods of non-flow.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. No equipment shall enter the water.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01.
2. This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

2013-00308 OSOMOR LLC
SALEM Porcupine Brook

Requested Action:

Impact 9,795 square feet of jurisdictional wetlands for a driveway to access an office building and a fire safety access road. In addition, construct 25,150 square feet of wetland as required by the Town of Salem.

APPROVE PERMIT:

Impact 9,795 square feet of jurisdictional wetlands for a driveway to access an office building and a fire safety access road. In addition, construct 25,150 square feet of wetland as required by the Town of Salem.

With Conditions:

1. All work shall be in accordance with plans by Vanasse Hangen Brustlin, Inc. dated February 8, 2013, as received by the NH Department of Environmental Services (DES) on March 11, 2013.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. DES Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
4. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
5. Work shall be done during seasonal low flow conditions.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be properly rip rapped.
10. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
15. Faulty equipment shall be repaired prior to entering jurisdictional areas.
16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

WETLAND CONSTRUCTION:

1. This permit is contingent upon the (creation/restoration) of 25,150 sq. ft. of wetlands in accordance with plans by Vanasse Hangen Brustlin, Inc. dated February 8, 2013, as received by the NH Department of Environmental Services (DES) on March 11, 2013..
2. The schedule for construction of the mitigation areas shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
3. The mitigation areas shall be properly constructed, monitored, and managed in accordance with approved final mitigation plans.
4. Wetland creation areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include

replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.

5. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.

6. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation areas and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.

9. Wetland creation areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

10. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.

11. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.

12. A post-construction report documenting the status of the completed project with photographs shall be submitted to the DES Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).

2. The impacts are necessary for access to a 75,000 square foot office building and is anticipating LEED certification; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. No jurisdictional wetlands will be impacted as a result of the building or subsurface parking. Stormwater runoff will be contained to a closed drainage pipe system that will be received by a micro pool extended detention basin before discharging to nearby wetlands; therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. Although this projects impacts do not required mitigation as stated in Env-Wt 302.03(c) as the impacts are less than 10,000 square feet, the Town of Salem is requiring the applicant to construct 25,150 square feet of wetlands on-site adjacent to nearby forested wetlands.

6. Vernal pools were found on-site and were studied by the agent, VHB, Inc.(VHB), during the 2012 spring. Due to low water levels, lack of rain, and warm temperatures VHB was not able to study vernal pool breeding activities. In light of this, VHB relied on a previous vernal pool study performed by Gove Environmental Services, Inc. No vernal pools will be directly impacted as a result of this project.

7. A memo dated 1/14/2013 from the NH Natural Heritage Bureau (NHB) states, "We [NHB] currently have no recorded occurrences of sensitive species near this project area."

8. In accordance with Env-Wt 304.04(a), the applicant obtained written concurrence from the abutter of Salem Tax Map 106 Lot 7853 whose property is 20-feet from the proposed project.

9. The applicant was not able to obtain written concurrence from the abutter identified on Salem Tax Map 106 Lot 10006 for those impacts within 20-feet of their property.

10. The applicant requests a waiver of Env-Wt 304.04(a) as the applicant did not receive written concurrence from the abutter of Salem Tax Map 106 Lot 10006.

11. DES hereby grants the waiver of Env-Wt 304.04(a) in accordance with Env-Wt 204.04(a) as granting the request will not result in an adverse effect to the environment or natural resources of the state, public health, or public safety; or an impact on abutting property that is more significant than that which would result from complying with the rule. Furthermore, granting the request is consistent with the intent and purpose of the rule being waived. Strict compliance with the rule will provide no benefit to the public

and will cause an economic hardship to the applicant.

12. The Salem Conservation Commission, in summary, "has voted to recommend approval of the application..."

2013-00520

PSNH

MANCHESTER Unnamed Wetland Hogg Brook

Requested Action:

Dredge and fill 10,632 sq. ft. of wetlands (includes 10,620 sq. ft. of temporary impacts and 12 sq. ft. of permanent impacts) for access and pole replacement associated with "reconductoring" a portion of the existing "393 electrical service line" which runs from Cohas Avenue to Holt Avenue in Manchester, NH. Work in jurisdiction includes installation of temporary timber mats and spanning timber mat bridges for access and impacts for new pole placement.

Conservation Commission/Staff Comments:

1. The conservation commission recommended approval of the project.

APPROVE PERMIT:

Dredge and fill 10,632 sq. ft. of wetlands (includes 10,620 sq. ft. of temporary impacts and 12 sq. ft. of permanent impacts) for access and pole replacement associated with "reconductoring" a portion of the existing "393 electrical service line" which runs from Cohas Avenue to Holt Avenue in Manchester, NH. Work in jurisdiction includes installation of temporary timber mats and spanning timber mat bridges for access and impacts for new pole placement.

With Conditions:

1. All work shall be in accordance with plans by TFM dated February 14, 2013 as received by the NH Department of Environmental Services (DES) on February 22, 2013.
2. A qualified professional shall monitor the project during construction to assure it is conducted in accordance with the approved plans and narratives and to assure no water quality violations occur.
3. To prevent the introduction of invasive plant species to the site the contractor(s) shall clean all soils and vegetation from construction equipment and matting before it is moved to the site.
4. Any impacts to wetlands or surface waters from the installation of the temporary matting and crossings shall be restored "in-kind" by the completion of the transmission line work.
5. Work shall be done during low flow.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each

operator shall be trained in its use.

16. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f);
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed project includes only 12 square feet of permanent wetlands impact for new/replacement transmission line poles.

MINIMUM IMPACT PROJECT

2012-02323 WEARE, TOWN OF
WEARE Weare Reservoir

Requested Action:

Remove, screen and replace approximately 72 cubic yards of sand from 3850 sq. ft. of an existing public beach on Horace Lake, in Weare.

APPROVE PERMIT:

Remove, screen and replace approximately 72 cubic yards of sand from 3850 sq. ft. of an existing public beach on Horace Lake, in Weare.

With Conditions:

1. All work shall be in accordance with plans by Dahlberg Land Services Inc. dated March 18, 2013, as received by the NH Department of Environmental Services (DES) on March 19, 2013.
2. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. This approval does not allow for any expansion of the beach beyond its pre-existing footprint.
5. All sand shall taken from, and be replaced in, areas located above the normal high water line.
6. This permit shall be used only once, and does not allow for annual beach replenishment.
7. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
8. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), projects deemed minimum impact by the Department

2013-00307 ALSTEAD, TOWN OF
ALSTEAD Warren Brook

Requested Action:

Dredge and fill 32,780 square feet (810 linear feet) of Warren Brook, which was severely damaged by the October 2005 flood, to restore stability and aquatic and riparian habitats by converting the current G-type stream to a sinuous C-type stream bordered by active floodplains.

Conservation Commission/Staff Comments:

2/1/13 DHR reports no historic properties affected.

APPROVE PERMIT:

Dredge and fill 32,780 square feet (810 linear feet) of Warren Brook, which was severely damaged by the October 2005 flood, to restore stability and aquatic and riparian habitats by converting the current G-type stream to a sinuous C-type stream bordered by active floodplains.

With Conditions:

1. All work shall be in accordance with plans by Headwaters Hydrology, PLLC, dated NOV. 2012, as received by the DES Wetlands Bureau on January 25, 2013.
2. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
3. The permittee shall notify in writing the DES Wetlands Bureau and the Conservation Commission at least 14 days prior to the commencement of project construction.
4. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the project is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The DES Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
5. The qualified professional shall submit weekly monitoring reports including the status of the project and the work conducted each week, the status of the erosion control measures with color photographs. These reports shall be submitted via e-mail to kirsten.pulkkinen@des.nh.gov.
6. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
7. Work shall be done during low flow conditions.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. Appropriate erosion and siltation controls shall be installed prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
12. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
13. Temporary cofferdams shall be entirely removed immediately following construction.
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each

operator shall be trained in its use.

16. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
17. Excavated material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
18. All temporarily stockpiled material shall be placed out any area that is within the jurisdiction of the DES Wetlands Bureau.
19. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
20. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
21. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
22. Plantings shall have at least 75% successful establishment of vegetation after two (2) growing seasons, or shall be replanted and re-established in a manner satisfactory to the DES Wetlands Bureau.
23. Stream restoration shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create a healthy riverine system that is replicated in a manner satisfactory to the DES Wetlands Bureau. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing stream sinuosity, changing the slope of the stream, and changing the hydrologic regime.
24. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the DES Wetlands Bureau if the species is found in the stabilization areas during construction and during the early stages of vegetative establishment.
25. A post-construction report documenting the status of the completed project, including photographs shall be submitted to the Wetlands DES within sixty (60) days of the completion of construction.
26. The permittee or a designee shall conduct a follow-up inspection after the first full growing season, to review the success of the project and schedule remedial actions if necessary. A report outlining the project status including photographs and any follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second year following the completion of the project.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(t), Restoration of altered or degraded wetlands.
2. The project is receiving financial support from the NHDES Watershed Restoration Grant, with matching funds, in-kind services and donated materials from the NH Fish and Game Department, NH Corporate Wetlands Restoration Program grant, the Cold River Local Advisory Committee, Cold River Materials, Inc., and Headwaters Hydrology, PLLC.
3. Approximately 10 inches of rain fell on the 12.5 square mile watershed of Warren Brook in 36 hours between October 7 and 9, 2005, causing a 12-foot diameter culvert beneath Cooper Hill Road to fail. The failure resulted in a large wave that traveled down the valley destroying buildings, roads and bridges.
4. A fluvial geomorphic assessment was completed in 2006, which recommended raising the incised channel to pre-flood levels and reconnecting the stream to its floodplains. This restoration approach was not implemented.
5. NRCS completed substantial repairs to Warren Brook in 2007. The work primarily included reshaping the channel and lining the banks with riprap, but did not reduce the degree of channel incision.
6. The project proposes to restore long-term stability and high quality aquatic and riparian habitats by realigning 810 linear feet of the brook to a meandering channel, constructing terraces bordering the brook, installing rock and wood in-stream structures, removing riprap and planting willow and dogwood live stakes.
7. On April 01, 2013, the legislature passed SB57 which specifically authorizes the proposed work on the state-owned properties.
8. The applicant has received written consent from the owner(s) of tax map 10, lot no.'s 12 and 16, owners of the properties on which project activities will take place.
9. The submitted Natural Heritage Bureau (NHB) report stated, "We currently have no recorded occurrences for sensitive species near this project area."
10. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
11. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
12. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2013-00528 NOONAN CRUTCHLEY, MARY ANNE
CENTER OSSIPEE Ossipee Lake

Requested Action:

Replace 34 linear feet of retaining wall and 3 ft. wide access stairs "in the dry" on 97.5 ft of frontage along Ossipee Lake, in Ossipee.

Conservation Commission/Staff Comments:

Con Com requested 40 day hold

No comments by Con Com by 04/10/2013

APPROVE PERMIT:

Replace 34 linear feet of retaining wall and 3 ft. wide access stairs "in the dry" on 97.5 ft of frontage along Ossipee Lake, in Ossipee.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey and Engineering Inc. dated February 20, 2013, as received by the NH Department of Environmental Services (DES) on February 25, 2013.
2. Work shall be done in the dry, during drawdown.
3. Retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The local Conservation Commission requested a 40 day hold pursuant to RSA 482-A:11 to provide comments. No comments were received by the Department by April 10, 2013.

2013-00570 PELTON, IRENE/STEVE
FREEDOM Round Pond

Requested Action:

Construct a 300 sq. ft. perched beach with less than 10 cubic yards of sand on Round Pond, Freedom.

Conservation Commission/Staff Comments:

Con Com did not sign application

APPROVE PERMIT:

Construct a 300 sq. ft. perched beach with less than 10 cubic yards of sand on Round Pond, Freedom.

With Conditions:

1. All work shall be in accordance with plans by Belknap Landscape Co. dated February 20, 2013, as received by the NH Department of Environmental Services (DES) on March 01, 2013.
2. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
3. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 388). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
4. The steps installed for access to the water shall be located completely landward of the normal high water line.
5. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
6. This permit shall be used only once, and does not allow for annual beach replenishment.
7. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
8. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(d), construction of a perched beach.

EXPEDITED MINIMUM

2013-00378 TROPIC STAR DEVELOPMENT
NEWFIELDS Colby Brook

Requested Action:

Temporarily impact 85 sq. ft. of wetland for the installation of a municipal sewer line.

Conservation Commission/Staff Comments:

1/29/13 Per DHR no historic properties affected.

APPROVE PERMIT:

Temporarily impact 85 sq. ft. of wetland for the installation of a municipal sewer line.

With Conditions:

1. All work shall be in accordance with plans by Jones & Beach Engineers, Inc. dated January 11, 2013, as received by the NH Department of Environmental Services (DES) on February 4, 2013.
2. This permit is contingent upon the final signed agreement between the Town of Newfields Water and Sewer and Tropic Star Development. A copy of the final signed agreement shall be submitted to DES Wetlands Bureau prior to work within DES jurisdiction.
3. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
4. Any temporary work areas shall be restored to original condition upon completion of work.
5. Any further alteration of areas on these properties that are within the jurisdiction of the DES Wetlands Bureau will require a new

application and further permitting by the Bureau.

6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Work shall be done during low flow.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with haybales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 ft. of undisturbed vegetated buffer.

With Findings:

1. This is a minimum project pursuant to Administrative Rule Env-Wt 303.04(f), projects involving alteration of less than 3,000 sq. ft. of wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant has demonstrated that the municipal sewer line needs to be extended in this location to provide service to businesses and residents.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The project will remove existing and future subsurface septic systems from the watershed aiding in the removal of total nitrogen and other contaminants to Great Bay.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. Natural Heritage Bureau ("NHB") has record of a sensitive species within the vicinity of this project, but NHB does not expect impacts to the species.
5. The Newfields Conservation Commission recommends approval of the project.

GOLD DREDGE

2013-00707 DUBE, CHRISTOPHER
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2013-00857 LOCKE, RONALD
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2013-00858 LOCKE, DONALD
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2013-00859 LOCKE, WESLEY
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2013-00863 BRAMBLETT, JOHN
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2013-00865 STAFFORD, BRIAN
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2013-00866 SHUMWAY, STEVEN
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2013-00867 DANFORTH, WILLIAM
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2013-00872 GUILLEMETTE, PAUL
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

LAKES-SEASONAL DOCK NOTIF

2013-00663 MULLEN, ROBERT
FREEDOM Ossipee Lake

Requested Action:
Installation of a seasonal docking structure.

COMPLETE NOTIFICATION:
Installation of a seasonal docking structure.

With Findings:
Installation of a seasonal docking structure.

2013-00796 DRED
PIERMONT Tarleton Lake

Requested Action:
Installation of a seasonal docking structure.

COMPLETE NOTIFICATION:
Installation of a seasonal docking structure.

With Findings:
Installation of a seasonal docking structure.

X-SHORELAND VARIANCE / WA

2008-00338 BAYBERRY REALTY TRUST
WOLFEBORO Lake Winnepesaukee

Requested Action:
The Applicant requests that the Shoreland Waiver be amended to allow alternative stormwater management controls and a revised planting plan and schedule.

APPROVE AMENDMENT:
Replace an existing nonconforming primary structure within the primary building setback (the "Setback") with a proposed nonconforming primary structure on property with approximately 160 ft of frontage on Lake Winnepesaukee in Wolfboro.

With Conditions:
1. All work shall be conducted in accordance with building plans by Appledore Engineering, Inc. dated June 5, 2008 and received by DES on June 9, 2008 and the Grading, Drainage, and Erosion Control Plan and Detail Sheet by Tighe & Bond dated June 5, 2008

as revised March 28, 2013 and received by DES on April 2, 2013.

2. This Waiver shall not be effective unless and until it has been recorded at the Carroll County Registry of Deeds and a copy of the recorded document is sent to DES by certified mail, return receipt requested.
3. Neither the Owner nor any subsequent owner shall construct, expand, install or otherwise create any impervious surfaces within the Setback other than those shown on the plans specified in Condition #1 above.
4. This Waiver shall run with the land and be binding upon the Owner and all subsequent owners of the Subject Property.
5. Unnecessary removal of vegetation from within the Natural Woodland Buffer during construction shall be prohibited.
6. All vegetation planted to meet restoration requirements shall be native and consistent with surrounding natural vegetation on the property and surrounding properties. Planting invasive or exotic species is prohibited.
7. Before August 1, 2013, the Applicant shall provide a revised Planting Plan to DES for approval. The planting plan shall incorporate native species in sufficient quantities and of sufficient size to meet the minimum vegetative buffer requirements established under RSA 483-B:9, V. The Planting Plan shall, after approval by the Department, be completed before November 1, 2013. Any plant species which does not maintain a survival success rate of at least 90% shall be replaced with another species of the same vegetative strata from the DES native species list. An initial monitoring report shall be submitted to DES by November 15, 2013 documenting the completion of the plantings. In the event that construction is delayed, the Applicant shall submit a written request to DES to plant the proposed vegetation at a later date.
8. Proposed construction on the adjacent property, identified on the town of Wolfeboro Tax Map 217 Lot 135 must be in conformity with building plans and stormwater control plans by Appledore Engineering, Inc. dated June 5, 2008 and received by DES on June 9, 2008 and planting plans by WW Hoffman LA dated June 5, 2008 and received by DES on June 9, 2008.
9. The contractor/owner responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. A copy of the recorded Waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
12. This Waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
13. The owner shall maintain compliance with all other applicable requirements of the Shoreland Water Quality Protection Act, RSA 483-B.
14. DES and the town of Wolfeboro, pursuant to RSA 483-B:8, III, shall have the right to enforce the terms and conditions of this Waiver, including collection of their reasonable costs and attorneys' fees in bringing any such action.
15. The authorization provided herein is contingent upon compliance with all conditions specified. In the event any condition is violated, the State or town of Wolfeboro may seek appropriate relief, including but not limited to removal of the structure authorized by this waiver.

With Findings:

1. The existing structures, as identified on the town of Wolfeboro Tax Map 217 Lot 134, are located within the 50 ft Setback to public waters and, therefore, fail to conform to the setback restriction set forth in RSA 483-B:9, II, of the Shoreland Water Quality Protection Act ("SWQPA").
2. The existing structures are located no more than approximately 16 ft from the reference line, have a ridgeline height of no more than approximately 31 ft and a total footprint of approximately 1,737 sq ft within the Setback, providing approximately 5,211 sq ft of living space within the Setback.
3. The proposed structure will be located approximately 24 ft from the reference line, have a ridgeline height of approximately 32 ft and a footprint of approximately 1,685 sq ft within the Setback, providing approximately 1,944 sq ft of living space within the Setback.
4. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
5. The Applicant has proposed to remove approximately 884 sq ft of impervious surface within the Setback on the adjacent property, identified on the town of Wolfeboro Tax Map 217 Lot 135.

6. The Applicant has proposed to install stormwater controls consisting pervious surfaces and a ground water recharge system.
7. The Applicant's proposal will increase the setback of the primary structure from the reference line by approximately 8 ft, bring the proposed primary structure on the adjacent property identified on the town of Wolfeboro Tax Map 217 Lot 135 into conformity with the SWQPA, and includes improved stormwater management and treatment.
8. Based on this information, the Department has determined that the Applicant's amended proposal is more nearly conforming with RSA 483-B, the SWQPA, and provides at least the same degree of protection to the public waters, and, therefore, would still meet the requirements of RSA 483-B:11, II to be eligible for the requested redevelopment waiver.

ROADWAY MAINTENANCE NOTIF

2013-00811 NH DEPT OF TRANSPORTATION
BARNSTEAD Unnamed Stream

COMPLETE NOTIFICATION:
Replace 24" culvert and replace a 15" culvert.

2013-00827 DAVIS, GLENN
TAMWORTH Unnamed Stream

COMPLETE NOTIFICATION:
Replace two 24" culverts.

2013-00860 HAMPSTEAD, TOWN OF
HAMPSTEAD Unnamed Stream

COMPLETE NOTIFICATION:
Replace three 12" culverts at different locations.

PERMIT BY NOTIFICATION

2013-00791 WHY, GREGORY/SHELLY
WOLFEBORO Lake Winnepesaukee

Requested Action:
Repair of existing docking structures with no change in size, location or configuration.

Conservation Commission/Staff Comments:
Con Com signed PBN application

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2013-00841 ELGIN, TODD/JANICE
HOLDERNESS Squam Lake

Requested Action:

Construction of an anchoring pad for a seasonal dock.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Construction of an anchoring pad for a seasonal dock.

CSPA PERMIT

2012-01677 MILLER, JAMIE
SUNAPEE Sunapee Lake

Requested Action:

Revised plans dated March 28, 2013 to add a side walk and stormwater treatment.

Impact 17,504 sq ft in order to remove existing nonconforming structure and rebuild a new structure located behind primary building setback with a pervious patio, relocate driveway, and construct stormwater features.

APPROVE AMENDMENT:

Impact 17,504 sq ft in order to remove existing nonconforming structure and rebuild a new structure located behind primary building setback with a pervious patio, relocate driveway, add an impervious walkway, rebuild a garage within the same footprint with a second story, and construct stormwater features.

With Conditions:

1. All work shall be in accordance with revised plans by CLD Consulting Engineers dated March 28, 2013 and received by the NH Department of Environmental Services (DES) on April 2, 2013.
2. No more than 27.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 4,265 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2012-03298 MEYER, DEBORAH
RYE Atlantic Ocean

Requested Action:

Owner wishes to amend the permit by adding 18 sq ft for HVAC pad.

Impact 2,179 sq ft in order to raise existing structure, add 316 sq ft of permanent impact, modify footprint of house, and replace impervious driveway with a pervious driveway.

APPROVE AMENDMENT:

Impact 2,179 sq ft in order to raise existing structure, add 316 sq ft of permanent impact, modify footprint of house, and replace impervious driveway with a pervious driveway.

With Conditions:

1. All work shall be in accordance with revised plans by James Verra and Associates, Inc. dated March 26, 2013 and received by the NH Department of Environmental Services (DES) on March 29, 2013.
2. No more than 12.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
4. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2013-00650 SCHOTTLAND REVOCABLE TRUST
WOLFEBORO Lake Winnepesaukee

Requested Action:

Impact 49,118 sq ft in order to raze existing structures, construct a new dwelling, modify existing driveway, construct a new septic system and regrade.

APPROVE PERMIT:

Impact 49,118 sq ft in order to raze existing structures, construct a new dwelling, modify existing driveway, construct a new septic system and regrade.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey & Engineering, Inc. dated March 12, 2013 and received by

the NH Department of Environmental Services (DES) on March 13, 2013.

2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. All impacts within wetlands, surface waters and their banks shall require a Wetland Permit under RSA 482-A.
4. No more than 29.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. At least 9,295 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2013-00662 34 DOLLOFF DAM LLC, GARY/JEANANN ST PIERRE
NOTTINGHAM Pawtuckaway Lake

Requested Action:

Impact 6,165 sq ft in order to remove an existing nonconforming residence and construct a new residence slightly further from the shoreline, modify driveway, install stormwater management, and restore Waterfront Buffer.

APPROVE PERMIT:

Impact 6,165 sq ft in order to remove an existing nonconforming residence and construct a new residence slightly further from the shoreline, modify driveway, install stormwater management, and restore Waterfront Buffer.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated March 6, 2013 and received by the NH Department of Environmental Services (DES) on March 15, 2013.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 26.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 2,353 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2013-00681 WHITNEY, MARIANNE
BELMONT Winnisquam Lake

Requested Action:

Impact 4,184 sq ft in order to raze existing structure and rebuild a larger structure.

APPROVE PERMIT:

Impact 4,184 sq ft in order to raze existing structure and rebuild a larger structure.

With Conditions:

1. All work shall be in accordance with revised plans by Lamarine Technical Land Services, Inc. dated April 1, 2013 and received by the NH Department of Environmental Services (DES) on April 2, 2013.
2. No more than 20% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 2,784 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

1. The applicant has proposed to reduce the sq ft of deck within the waterfront buffer.

CSPA PERMIT W/WAIVER

2013-00631 HARVEY, JAMES
WINDHAM Cobbetts Pond

Requested Action:

Impact 10,692 sq ft in order to construct a new single family residence with septic system, driveway, and other associated site improvements.

APPROVE PERMIT:

Impact 10,692 sq ft in order to construct a new single family residence with septic system, driveway, and other associated site improvements.

With Conditions:

1. All work shall be in accordance with plans by Benchmark Engineering, Inc. dated January 24, 2013 and received by the NH Department of Environmental Services (DES) on March 11, 2013.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 28.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

4. At least 1,145 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

UTILITY NOTIFICATION

2013-00825 PSNH
HOPKINTON Unnamed Stream

Conservation Commission/Staff Comments:
See file 13-00004 for fee.

COMPLETE NOTIFICATION:
Equipment repair & maintenance in ROW.

EMERGENCY AUTHORIZATION

2012-03089 SANDOWN, TOWN OF
SANDOWN Exeter River

Requested Action:
Remove the two (2) existing and failing 36-inch CMP culverts beneath Deer Run Road and replace with two (2) 36-inch HDPE culverts for safe vehicular passage.

CONFIRM EMERGENCY AUTHORIZATION:
Remove the two (2) existing and failing 36-inch CMP culverts beneath Deer Run Road and replace with two (2) 36-inch HDPE culverts for safe vehicular passage.

With Conditions:

1. All work shall be in accordance with plans by Keach-Nordstrom Associates, Inc. dated October 30, 2013, as received by the NH Department of Environmental Services (DES) on February 1, 2013.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Project has been completed in compliance with DES regulations for water quality standards.

With Findings:

1. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on November 28, 2012 pursuant to Env-Wt 500.
2. Review of the application submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.
3. This is a major impact project pursuant Administrative Rule Env-Wt 903.01 (g)(1), a new or replacement tier 3 crossing.
4. The existing culverts are deteriorating; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
6. The Town of Sandown is funding the project and is seeking an Alternative design in accordance with Env-Wt 904.08(b).
7. DES finds that the replacement alternative design meets the requirements of Env-Wt 904.09, Alternative Designs.
9. Compensatory mitigation is not required for this Tier 3 stream crossing as it is self-mitigating in accordance with Env-Wt 904.04(f).
10. DES has not received any abutter or public comments in objection to the proposed project.
10. The NH Natural Heritage Bureau did not comment on the project.
11. The Exeter-Squamscott River Local Advisory Committee "has no concerns with the project as submitted."
12. DES did not receive comments from the Sandown Conservation Commission.
13. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.